

REMARKS

Claims 1-28 are pending in the present application. Claims 29-30 were withdrawn from consideration in response to a Restriction Requirement. Claims 11, 20, and 27 have been amended. The title was changed in response to the Examiner's objection.

Claims 11, 20 and 27 were rejected under 35 U.S.C. § 112, second paragraph as failing to distinctly claim the invention. Each of these claims has been amended to more clearly state a feature of the gasket - to prevent damage to the electronic circuit when at least 4 kV of electrostatic discharge pulse is applied to the assembly at a system level in which the assembly is used. In view of the amendment, reconsideration and withdrawal of the rejection of claims 11, 20, and 27 under 35 U.S.C. § 112, second paragraph is respectfully requested.

Claims 22, 24, and 26-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 6,506,101 to Morris ("Morris"). Claims 1, 3-8, 11-12, 22-24, 27 and 28 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 5,175,613 to Barker, III et al. ("Barker"). Claims 1-8, 10-17, 19-21 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morris in view of U.S. Patent Application Publication No. 2003/0025180 to Alcoe et al. ("Alcoe"). Claims 9 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morris in view of Alcoe in view of U.S. 5,749,586 to Abe et al. ("Abe"). Claims 9 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Barker in view of Abe. Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morris in view of Abe.

Embodiments of the present invention pertain to a gasket made of a lossy material that is placed around a die, microprocessor, etc., that protects the die from electrostatic discharge (ESD) pulses. The first reference, Morris, pertains to a radio-frequency shield (i.e., one that protects

against electromagnetic waves). Looking at claim 22 (from which claims 24 and 26-28 depend), this claim recites that the gasket surrounding the semiconductor die is “to protect the die from electrostatic discharge pulses.” There are significant differences between electromagnetic signals such as RF signals, and electrostatic discharge pulses. Morris is silent as to electrostatic discharge pulses. Therefore, it cannot be said that Morris teaches that element 202 is designed to protect the die from ESD nor to have the qualities recited in the claims depending from claim 22.

Independent claims 1 and 22 were rejected as being anticipated by Barker. Specifically, the Office Action refers to element 26 as being a “gasket of lossy material.” The specification specifically calls out element 26 as a “compliant conductive strip” (see Col. 3, line 12). This component serves to electrically connect the heat sink 14 to a reference plane 18. To the extent that element 26 can be considered a “gasket,” as a conductor, it is not to surround the die to protect it from ESD pulses a recited in the claims.

The Alcoe and Abe references fail to make up for the deficiencies of Morris and Barker. The Office Action states that Alcoe “is cited for showing an EMI shielding for semiconductor chip carriers.” Again, EMI, or Electromagnetic Interference, is quite different from ESD (electrostatic discharge). Impinging an EMI signal onto a electronic circuit die will not result in the transfer of thousands of volts of electricity, which is quite possible with ESD. Also, on its face, Abe refers to a gasket for sanitary pumping. Packaging of semiconductors is quite different from pipe connections. There is absolutely no teaching in Abe to use the gasket described therein in a semiconductor package, and there is no disclosure in Morris or Barker suggesting the use of a gasket from sanitary pipe.

In view of the above, reconsideration and withdrawal of the rejection of claims 1-28 under 35 U.S.C. §§ 102(e), 102(b) and 103(a) is respectfully requested.

CONCLUSION

The Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (202) 220-4255 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
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By:



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